

Remarks

In the office action mailed November 14, 2005, claims 11, 12 and 16 - 18 were rejected under 35 U.S.C. §112, ¶2; claims 1, 2, 7, 10 - 17 and 19 - 23 were rejected under 35 U.S.C. §102(a) over U.S. Patent Publication 2003/00322004 (to Walt et al.); claims 3 was rejected under 35 U.S.C. §103(a) over Walt et al. in view of U.S. Pat. No. 6,864,980 (to TeKoste et al.); claims 4 - 6 were rejected under §103(a) over Walt et al.; claim 8 was rejected under §103(a) over Walt et al. in view of U.S. Pat. No. 6,266,476 (to Shie et al.); claim 9 was rejected under §103(a) over Walt et al. in view of U.S. Pat. No. 5,887,009 (to Mandella et al.); claim 24 was rejected under §103(a) over Walt et al. in view of U.S. Pat. No. 5,512,745 (to Finer et al.); and claim 18 was indicated as being allowable if rewritten in independent form.

Each of claims 11, 12 and 16 - 18 are amended to address the §112, ¶2 concern raised in the office action.

The Walt et al. reference discloses an optical array device in which multiple channels (e.g., fibers) provide an array of sources that are used to interrogate a sample, for example for fluorescent moieties. The reference discloses that the particles may be manipulated by optical trapping through photoactivation of targeted cells by individually switching single channels on and off (Walt et al., ¶0030 and ¶0031). The Walt et al. reference, however, does not disclose, teach or suggest the selective direction of a beamlet of electromagnetic energy toward a plurality of selectable locations on the adjacent substrate.

Each of independent claims 1, 11, 12, 18, 19 and 23 is amended herein. In particular, claim 1 is amended to further require that the system further includes adjustment

means, each of which is associated with a focusing element to selectively direct a beamlet of electromagnetic energy via an associated focusing element toward a plurality of selectable focal locations on the adjacent substrate. Claim 1, therefore, is considered to be in condition for allowance. Each of claims 2 - 10 depends from claim 1 and further limits the subject matter thereof. Each of claims 1 - 10 is therefore in condition for allowance.

Claim 11 is also amended to require beamlet sources each of which includes adjustment means and is associated with a focusing element to selectively direct a beamlet of electromagnetic energy via an associated focusing element toward a plurality of selectable focal locations on an adjacent substrate. Claim 11, therefore, is considered to be in condition for allowance.

Claim 12 is amended to include a plurality of directionally selective elements that are positioned to selectively direct electromagnetic energy toward a plurality of selectable locations on an adjacent substrate via an associated. Claim 12, therefore, is considered to be in condition for allowance. Each of claims 13 - 17 depends from claim 12 and further limits the subject matter thereof. Each of claims 12 - 17 is therefore in condition for allowance.

Claim 18 is amended to state that each micro-mirrors is associated with a focusing element and is configured to be moved with respect to the associated focusing element to selectively direct a beamlet of electromagnetic energy toward a plurality of selectable locations on an adjacent substrate via the associated focusing element. Claim 18, therefore, is considered to be in condition for allowance.

Claim 19 is amended to further state that the step of selectively controlling each of the beamlets involves selectively directing a beamlet toward a plurality of selectable

locations on an adjacent substrate via an associated focusing element to manipulate the plurality of particles. Claim 19, therefore, is considered to be in condition for allowance. Each of claims 20 - 22 depends directly or indirectly from claim 19 and further limits the subject matter thereof. Each of claims 19 - 22 is therefore in condition for allowance.

Claim 23 is amended to further state that the step of selectively controlling each of the micromirrors involves selectively directing a beamlet toward a plurality of selectable locations on an adjacent substrate via an associated focusing element to manipulate the plurality of particles. Claim 23, therefore, is considered to be in condition for allowance. Claim 24 depends from claim 23 and further limits the subject matter thereof. Each of claims 23 and 24 is therefore in condition for allowance.

Each of claims 1 - 24, therefore is in condition for allowance. Favorable action consistent with the above is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. E. Hilton', is written over a horizontal line.

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